

1 RICHARD W. COHEN
DAVID C. HARRISON
2 LOWEY DANNENBERG COHEN & HART, P.C.
One North Broadway
3 White Plains, New York 10601-2310
Telephone: 914-997-0500
4 *Counsel for the New York City Pension Funds*

5 WILLEM F. JONCKHEER S.B.N. 178748
SCHUBERT & REED LLP
6 Three Embarcadero Center, Suite 1650
San Francisco, California 94111
7 Telephone: 415-788-4220
Local Counsel

8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION
12
13

14 In re JUNIPER NETWORKS, INC.
SECURITIES LITIGATION

15
16 This Document Relates To:
17 ALL ACTIONS.

18
19 THE NEW YORK CITY EMPLOYEES'
RETIREMENT SYSTEM, *et al.*,

20 Plaintiffs,

21 v.

22 LISA C. BERRY,

23 Defendant.
24
25
26
27
28

No. C 06-04327-JW

**STIPULATION AND [PROPOSED]
ORDER CONCERNING
DEFENDANT BERRY'S TIME TO
RESPOND TO CLASS ACTION
COMPLAINT**

No. C 08-0246-JW

WHEREAS, on January 14, 2008, the New York City Pension Funds filed a putative class action titled *The New York City Employees' Retirement System et al. v. Berry*, C-08-0246-MHP (N.D. Cal.) (the "Berry Action");

WHEREAS, pursuant to Civil L.R. 3-12, a Related Case Order was entered and on February 25, 2008, the Berry Action was reassigned to Judge Ware, who is presiding over *In re Juniper Networks, Inc. Securities Litigation*, C-06-04327-JW (N.D. Cal.) (the "Consolidated Action");

WHEREAS, motions to dismiss the Amended Consolidated Complaint in the Consolidated Action have been under submission since September 10, 2007;

WHEREAS, disposition of several arguments raised by defendants in the motions to dismiss the Consolidated Action will provide guidance to the parties in the Berry Action;

WHEREAS, the parties have conferred and agree that for the convenience of the parties and the Court, the time for defendant to respond to the complaint in the Berry Action should be deferred until after the Court's ruling on the motions to dismiss in the Consolidated Action;

NOW, THEREFORE, the parties hereby stipulate, and request the court to order, as follows:

1. Defendant Berry shall respond to the complaint in the Berry Action within thirty (30) days after (i) the New York City Pension Funds file a Second Amended Consolidated Complaint in the Consolidated Action; or (ii) the Court's ruling on the motions to dismiss, in the event that the New York City Pension Funds are not required to file an amended complaint.

Dated: February 26, 2008

LOWEY DANNENBERG COHEN
& HART, P.C.

By: /s/
RICHARD W. COHEN
(Admitted Pro Hac Vice)
DAVID C. HARRISON
(Admitted Pro Hac Vice)
One North Broadway
White Plains, NY 10601-2310
Telephone: 914-997-0500

*Counsel for Plaintiff The New
York City Pension Funds*

SCHUBERT & REED LLP
WILLEM F. JONCKHEER S.B.N. 178748
Three Embarcadero Center, Suite 1650
San Francisco, CA 94111
Telephone: 415-788-4220

Local Counsel

ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/
JAMES N. KRAMER S.B.N. 154709
MOJI SANIEFAR S.B.N. 233330
405 Howard Street
San Francisco, CA 94105-2669
Telephone: 415-773-5700

Counsel for Defendant Lisa C. Berry

* * *

I, David C. Harrison, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Filing of Consolidated Complaint and Briefing Schedule. In compliance with General Order 45, X.B., I hereby attest that Moji Saniefar has concurred in this filing.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

THE HONORABLE JAMES WARE
UNITED STATES DISTRICT JUDGE